

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

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Paper No. 18

SEP 20 2000

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BOARD OF PATENT APPEALS
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BEFORE THE BOARD OF PATENT APPEALS
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Ex parte MICHAEL C. BOSCH

Appeal No. 2000-1275
Application No. 08/839,984

ON BRIEF

Before PATE, NASE, and JENNIFER D. BAHR, Administrative Patent Judges.

PATE, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 1-14. These are the only claims in the application.

The claimed invention is directed to a securement strip for use with a business or courtesy card. The securement strip is used to place the business card on a door or wall. The securement strip has one band of repositionable adhesive on its back and another band of repositionable adhesive on the front.

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The securement strip also includes a courtesy or informational message, which is not obscured by the card when the card is in place on the front repositionable adhesive.

The claimed invention may be further understood with reference to the appealed claims appended to appellant's brief.

The references of record relied upon by the examiner as evidence of obviousness are:

Williams et al. (Williams)	5,282,649	Feb. 1, 1994
Johnstun	4,191,405	Mar. 4, 1980

THE REJECTION

Claims 1-14 stand rejected under 35 USC § 103 as unpatentable over Williams in view of Johnstun. For the full details of the examiner's rejection, reference is made to the rejection set forth in the final office action (Paper No. 9).

OPINION

We have carefully reviewed the rejection on appeal in light of the arguments of the appellant and the examiner. As a result of this review, we have reached the determination that the applied prior art does not establish a *prima facie* case of

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obviousness with respect to claims 1-14. Therefore the rejection on appeal is reversed. Our reasons follow.

We are in agreement with the examiner that Williams discloses a securement strip with a first band of repositionable adhesive on the back and a removable sticker of an informational nature on the front and adhered to the repositionable securement strip. Williams differs from the invention on appeal in that the sticker on the front is not a business card, and the sticker on the front has repositionable adhesive on the back there of, instead of being secured to the securement strip by a band of adhesive on the securement strip itself.

Johnstun discloses a manifold used for copying indicia on compressed shrinkable sleeves used to identify wiring. The manifold contains flattened shrinkable sleeves with a carbon paper-like front layer. The front layer and the shrinkable sleeves are adhered to the back layer of the manifold by repositionable adhesive which coats the back layer. The entire manifold is placed in the typewriter which impacts the carbon paper-like front layer and leaves an indicia on the compressed sleeves. At any time the front layer can be gently peeled from the back layer and one or several sleeves removed therefrom.

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According to the examiner, Johnstun is relied upon for teaching repositionable adhesive on the front side of the sheet for removably securing another member. In the examiners' view, it would have been obvious to modify the sheet of Williams to have the repositionable adhesive on the front side of the sheet as opposed to on the card of Williams as taught by Johnstun. We do not agree with the examiner. In our view, it would not have been obvious to modify Williams in such a manner, because the function of Williams would be destroyed. More specifically, if the adhesive in Williams were not disposed on the sticker or smaller second sheet, then the sticker would not adhere to the telephone. As Williams makes clear, the purpose of the combination of Williams is to provide a sticker that can be placed on or near a phone. If the adhesive were supplied on the first sheet of Williams then the sticker or smaller sheet would become readily misplaced or lost, obviating the purpose of the Williams' invention. For this reason, it is to our view that it

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would not have been obvious to place the adhesive on the repositionable securement strip of Williams rather than on the smaller sticker. The rejection is reversed.

REVERSED

WILLIAM F. PATE, III
Administrative Patent Judge

JEFFREY V. NASE
Administrative Patent Judge

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JENNIFER D. BAHR
Administrative Patent Judge

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